

The Honorable Jessica G. L. Clarke
United States District Court Judge
Southern District of New York
500 Pearl Street
New York NY, 10007

Re: Rapaport v. Epstein, 24-cv-07439

Motion to Modify Scheduling Order

Your Honor:

I am respectfully writing to request a modification of the scheduling order set out in *ECF No. 51*. Such a modification would toll the time for providing notice of my amendment of or reliance upon my current pleading per *IPR 4(e)* until March 23, 2025, extend the deadline to reply to the motions to dismiss if an amendment is not elected until March 27, 2025, and extend the deadline to file such an amended pleading if elected on April 3, 2025 (11 days after the 10 day notice required by *IPR 4(e)* as would normally be provided through the interaction with the 21 day period of *FRCP 15(a)(1)(B)*).

In my letter-motion for an extension of time to file a reply and toll the 10 day notice period of *IPR 4(e)* *ECF No. 47*, I respectfully sought sufficient time to decide whether I would rely on my original pleading or amend as of right, in addition to an extension of time to reply if I chose to rely upon my original pleading. This additional time is necessary for me process the motions to dismiss and additional information I received relating to this action, including with respect to events which had not yet transpired at the time of filing. I appreciate that the defendants in this action indicated their agreement to such a tolling of the notice period in the docket, in addition to agreement in my conferring with them relating to the extension of the reply deadline.

Currently, the amendment of my pleading is ordered despite my current indecision as to whether or not I will amend or rely upon my pleading, and this order has mooted all motions to dismiss. Without comment upon the legal merits of the motions to dismiss filed, I am also respectfully requesting of the Court to reconsider whether they would be moot for that reason if my respectful request for additional time to provide notice of whether I will rely upon or amend my pleading by March 23, 2025 is granted.

Thank you for considering my request in this matter,

/s/ Gideon Rapaport *pro se*
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